

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

LAUREN VARALLO,

Plaintiff,

v.

TOWN OF NANTUCKET - POLICE
DEPARTMENT and JAMES SAMSON,
Defendants.

CIVIL ACTION
NO: 05-11547-RWZ

**PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT AS TO DEFENDANT
TOWN OF NANTUCKET ONLY PURSUANT TO FED. R. CIV. RULE 55 (a)**

Plaintiff hereby requests entry of default as to defendant Town of Nantucket for its failure to plead or otherwise respond to Plaintiff's Complaint. As grounds for this request, plaintiff states that her Complaint was duly served upon the Town on November 1, 2005 (*See* Affidavit of Service ¶1, Docket No. 3.) The time for service of the Town's answer expired on November 21, 2005. Unlike defendant James Samson whose attorney has contacted plaintiff's counsel, at no time since the filing of Plaintiff's Complaint or, for that matter, since service of plaintiff's presentment letter in 2004, has any representative of the Town ever contacted plaintiff or her counsel to request an extension of time to answer or for any other reason. Consequently, entry of default is due and appropriate.

Plaintiff, LAUREN VARALLO, by her attorneys,

/s/ Bradley M. Henry

Peter J. Black, BBO No. 044407
Bradley M. Henry, BBO No. 559501
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CERTIFICATE OF SERVICE

I, Bradley M. Henry, certify that on 11/29/05, I served Plaintiff's Request for Default, by delivering an exact copy thereof via First Class Mail, postage prepaid, to C. Elizabeth Gibson, Town Administrator-Town of Nantucket and Michael Glowacki, Chair-Board of Selectmen, Town of Nantucket, 16 Broad St., Nantucket, MA 02554; William Pittman, Chief of Police, Town of Nantucket Police Department, 20 South Water St., Nantucket, MA 02554; and James Samson, 39G Shore Drive, Peabody, MA 01960.

/s/ Bradley M. Henry

Bradley M. Henry